

Testimony before the Subcommittee on National Security
Tuesday October 28, 2003

I would like to thank the Chair and the members of the committee for the opportunity to speak on some vital issues.

My name is Jimmy Willis, I am here on behalf of President Roger Toussaint and the 38,000 members of the Transport Workers Union Local 100 – the Subway and Bus workers of the MTA/New York City Transit and most particularly on behalf of our 4,000 members who worked “on the pile” at Ground Zero.

On the morning of September 11, 2001 as the Twin Towers burned there were two evacuations in process. One of course (of the Towers) was due to the heroic efforts of Fire, Police and Emergency response teams. The other evacuation took place in the Subways and Buses in and around the Trade Center and was accomplished by Transit workers.

Due to the fact that the disaster occurred during rush hour there were dozens of crowded buses’ in the area and approximately 200,000 passengers on the Subway trains in the area. All of these passengers were safely evacuated ***without injury*** by transit workers. Hundreds of evacuations began simultaneously in the transit network around ground zero. Two of those evacuations are indicative of what transpired:

- In the minutes before the first collapse, Train Operator Hector Ramirez had instructions to bypass the World Trade Center by Subway Control Center. As his train entered the station Ramirez saw hundreds of panicked screaming passengers. Despite orders he stopped his train. Ramirez and his Conductor then evacuated everyone from the platform and he took the train out of the station. That was the last train through before the Towers collapsed.
- One block from the Trade Center Bus Operator Franklin Chandler stood by with his bus in case he was needed. After the Towers collapsed Chandler did not leave his post. He searched through the debris for injured survivors, placed them on his bus until it was full and drove them all to area hospitals.

New York City Transit must be ready to rebuild and repair the largest Subway System in the world. Thousands of Local 100 members are hard hats: Welders, track workers, payload operators, carpenters, ironworkers etc...At approximately 11AM on September 11th all of Transits heavy equipment was mobilized to the Brooklyn waterfront and loaded on barges. Thousands of Transit workers then sailed with the equipment to Manhattan and began the torturous process of digging through “the pile.”

The US Department of Transportation has recently released a report which states that:

- The MTA played a critical role in the rescue effort at Ground Zero and in helping restore parts of the City’s infrastructure including communications.
- At one point MTA employees comprised 60% of the rescue force at Ground Zero.

Unfortunately, this level of response has come at a terrible price. It’s well documented that rescue workers were exposed to asbestos, mercury, lead, pulverized glass and concrete – a virtual toxic soup. Transit workers toiled for weeks at Ground Zero without respirators. Unfortunately, NYC Transit, NYC Dept of Health and NY State deferred site air quality and safety to the EPA. Of the four thousand Transit workers who responded to Ground Zero., as many as half of us are now seriously ill. Thousands of other rescue workers are also ill. Most of us should not have been allowed to work at the site without appropriate personal protection. The investigation into the EPA Inspector General’s report as well as the EPA’s role with regards Ground Zero air quality must be thoroughly and completely investigated.

Local 100 members who were at Ground Zero are now suffering from respiratory disease, gastro-intestinal disorders and depression – the same afflictions our brothers and sisters from the Fire Department, Police Department, Emergency Services and Building trades are facing. I can attest to this. I worked with our welders at the site. As a result of my time spent at Ground Zero I have been diagnosed with Gastro-Intestinal disorders and respiratory disease. I am only one of many.

We at Transit work for a State agency that is self insured for Workers Compensation and has as a result controverted **EVERY SINGLE** Comp case arising out of Ground Zero. Among those cases is Bus Operator Reverend Franklin Chandler who I previously mentioned and who saved so many lives on September 11th. When he filed for injuries arising out of his heroic work that day he was termed a liar, malingerer and fraud by Transit. He and his family went 8 months without a check until a Compensation Judge ruled in his favor. It is outrageous that men and women who risked their lives for their country and on behalf of others should be so callously treated.

Local 100 President Roger Toussaint insisted that NYC Transit partner with us in a Counseling program aimed at alleviating some of the trauma associated with Ground Zero among Transit Workers. I coordinated that program on the Local's behalf. After helping only 150 of the 4,000 members at Ground Zero NYC Transit pulled out of the program once they became aware of its Workers Comp implications.

The issue of medical treatment and Compensation arising out of work at Ground Zero and the cost associated with it should rightfully be borne at the Federal level. Appropriations for this must come through Congress and be signed by the President.

Many Local 100 members have been seen by the staff at the Mt. Sinai WTC clinic. This program provides for initial and follow-up screenings and the program is federally funded. The medical and support staff at the Mount Sinai World Trade Center Clinic have been wonderful. My members continually praise the care they receive there. Any thought to reduce funding to this primary source of care to make more available to satellite clinics is ill advised. Rather, an **INCREASE** in funding is called for.

However, an increase in funding for Screenings is not nearly enough. The members of my Local are utilizing our own medical benefits to cover the cost of actual care. In two years when we begin contract negotiations with the MTA they will point to the burdensome charges carried by our health plan – costs associated with Ground Zero work. The reality is that NYC Transit will seek to renegotiate **DOWN** our health coverage due directly to so many members utilizing care because of Ground Zero related illness.

Those of us who responded to Ground Zero are in crisis. The response to that crisis on a State and Federal level has been sorely lacking. Federal funds need to be allocated immediately to cover the cost of health care for those who sacrificed at Ground Zero. Additionally, The MTA (a New York State agency) needs to realize that those of us who responded to Ground Zero must have immediate access to our Workers Compensation benefits without needless controversion.

Congressional leaders applauded the rescuers of Ground Zero. On September 13, 2001 President Bush appeared at Ground Zero and thanked us for being there when this country needed us. . We ask the same thing Mr. President. Those of us who were there when our country needed us are now at peril. Will you and the Congress help us now that we are in need?